

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ESCAICH, S.

Atty. Ref.: 1721-81

Serial No. 10/506,666

Group: 1645

Filed: September 7, 2004

Examiner: Gangle

For: NEW PRODUCTS SPECIFIC TO PATHOGENIC STRAINS AND THEIR USE AS
VACCINES AND IN IMMUNOTHERAPY

* * * * *

May 21, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

Receipt of the partially-initialed PTO-1449 Form filed July 17, 2007, and returned with the Office Action of April 14, 2008, is hereby acknowledged. The Examiner has lined-through references Szymkowski, Zabner et al, Fillion et al, Bonacorsi et al, Wong et al, Kao et al, Guyer et al, Koesters et al and Sequence alignments, p 1, 2, 5 listed under "OTHER DOCUMENTS". A completely-initialed copy of the PTO-1449 Form filed July 17, 2007, pursuant to MPEP § 609, is requested as a copy of each of the noted references has been submitted and indexed in the PTO IFW on July 17, 2007 (pages 26-67 and pages 136-170 of the first NPL Document indexed under "Petition Decision").

The Examiner is also requested to confirm in a further communication that the figures filed September 7, 2004, are acceptable or advise the undersigned of any specific objection of rejection of the same. Similar requests were filed on February 16, 2007 and May 29, 2008

ESCAICH, S.
Appln. No. 10/506,666
Atty Ref.: 1721-81
REQUEST
May 21, 2009

The present Request is not being filed in response to the Office Action of
December 10, 2008.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /B. J. Sadoff/
B. J. Sadoff
Reg. No. 36,663

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100